

November 10, 1953

Gerald DeGarmo, Esquire
Allen, Hilen, Froude, DeGarmo & Leedy
1308-1318 Northern Life Tower
Seattle 1, Washington

Dear Mr. DeGarmo:

Enclosed is the executed original of an easement from Henry J. Kaiser Company to Kaiser Gypsum Company, a California corporation, such instrument being dated as of August 1, 1952.

If you will recall, sometime in September 1951, your office prepared an easement from Northwestern Glass Company to Henry J. Kaiser Company covering the property described in this enclosure.

Subsequently and on August 1, 1952, Henry J. Kaiser Company sold the assets of its Kaiser Gypsum Division to Kaiser Gypsum Company. An examination of my records here indicates that this easement was never conveyed. Accordingly, will you kindly examine the original easement and this enclosure and if it appears satisfactory to you in form and substance, then cause the enclosure to be recorded and thereafter direct the County Auditor to return it to W. R. Soule, Assistant Controller of Kaiser Gypsum Company, Inc., at the address shown on this letterhead. For your information, the applicable agreement of sale allocated \$1.00 to the miscellaneous parcels of realty sold and, accordingly, that figure may be used if state or federal revenue stamps are required. If you would kindly advance the cost of such stamps, if required, and recording fees for our account, I would be grateful.

Upon the recordation of this enclosure, record title to this easement and to the real property to which it is appurtenant will be vested in Kaiser Gypsum Company, a California corporation, subject, however, to the filing on December 1, 1952, in the office of the County Auditor of a certified copy of the Agreement of Merger between Kaiser Gypsum Company and Pacific Coast Cement Company, with the latter as the surviving corporation, and to the filing on the same date of Articles of Amendment changing the name of Pacific Coast Cement Company

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to Kaiser Gypsum Company, Inc. It would be my interpretation of Sections 23.40.030 and 23.40.060 of your Code that confirmatory conveyances are not required to effectively vest title of record in the surviving corporation of a merger. If, however, I am incorrect in this assumption, I should appreciate being advised to that effect so that appropriate confirmatory deeds can be prepared and placed on record.

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Thank you very much for your attention to this matter.

Yours very truly,

KAISER GYPSUM COMPANY, INC.


David Hardy
Legal Department

DH:mcm
Enc.

P
bcc: Bryce Simpson
W. R. Soule ✓

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